
By: **Washington County Delegation**
Introduced and read first time: February 13, 2004
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 2004

CHAPTER _____

1 AN ACT concerning

2 **Washington County Water and Sewer Infrastructure Commission**

3 FOR the purpose of establishing a Washington County Water and Sewer
4 Infrastructure Commission; specifying the membership of the Commission and
5 certain work groups within the Commission; specifying the duties of the
6 Commission; providing for the staffing of the Commission; requiring the
7 Commission to issue certain reports by certain dates to the Washington County
8 Delegation, the Washington County Board of County Commissioners, and the
9 Hagerstown City Council; providing for the termination of this Act; and
10 generally relating to the establishment of a Washington County Water and
11 Sewer Infrastructure Commission.

12 **Preamble**

13 WHEREAS, Government officials from Washington County, including the City
14 of Hagerstown and the other municipalities of the County, recognize the critical
15 importance of safe drinking water for all residents of the County, and the necessity for
16 clean water if the County is to maintain the population growth it has experienced
17 over the last decade; and

18 WHEREAS, Government officials from Washington County, including the City
19 of Hagerstown and the other municipalities of the County, recognize that the proper
20 treatment and handling of wastewater is critical to the public health and safety of all
21 residents in Washington County; and

22 WHEREAS, Government officials from Washington County, including the City
23 of Hagerstown and the other municipalities of the County, recognize the critical
24 importance of working in concert with each other for the betterment of each resident

1 in the County, specifically with regard to providing safe drinking water and properly
2 treating and handling wastewater; now, therefore,

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That:

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) "Chairman" means the member of the General Assembly who is
7 elected by the entire Washington County Delegation to serve as the Chairman.

8 (3) "Washington County Delegation" means the Senators and Delegates
9 who are elected to Washington County or any portion of Washington County.

10 (b) There is a Washington County Water and Sewer Infrastructure
11 Commission.

12 (c) The Commission shall consist of the following 21 voting members:

13 (1) the Chairman of the Washington County Water and Sewer Advisory
14 Commission, or the Chairman's designee;

15 (2) the Health Officer for the Washington County Health Department, or
16 the Health Officer's designee;

17 (3) one representative of the Washington County Planning Commission,
18 appointed by the Chairman of the Washington County Planning Commission;

19 (4) one representative of the Hagerstown Planning Commission,
20 appointed by the Chairman of the Hagerstown Planning Commission;

21 (5) one representative of the Hagerstown-Washington County Economic
22 Development Commission, appointed by the Executive Director of the
23 Hagerstown-Washington County Economic Development Commission;

24 (6) one representative of the Hagerstown-Washington County Chamber
25 of Commerce, appointed by the Chairman of the Hagerstown-Washington County
26 Chamber of Commerce;

27 (7) one representative of the Greater Hagerstown Committee, appointed
28 by the Chairman of the Greater Hagerstown Committee;

29 (8) the following four members appointed by the Washington County
30 Delegation:

31 (i) two water and sewer operators from Hancock, Clear Spring,
32 Smithsburg, Funkstown, Keedysville, or Boonsboro;

33 (ii) one resident of Washington County representing a local
34 engineering firm; and

1 (iii) one resident of Washington County representing the
2 development community in Washington County;

3 (9) two residents of Washington County, representing either the business
4 or labor community in Washington County, appointed by the Senate members of the
5 Washington County Delegation;

6 (10) two residents of Washington County, representing either the business
7 or labor community in Washington County, appointed by the House members of the
8 Washington County Delegation;

9 (11) three residents of Washington County, representing either the
10 business or labor community in Washington County, appointed by the Washington
11 County Board of County Commissioners; and

12 (12) three residents of Washington County, representing either the
13 business or labor community in Washington County, appointed by the Hagerstown
14 City Council.

15 (d) In addition to the 21 voting members under subsection (c) of this section,
16 the Commission shall consist of the following three nonvoting members:

17 (1) one member of the Washington County Delegation, appointed by the
18 members of the Washington County Delegation;

19 (2) the President of the Washington County Board of County
20 Commissioners, or the President's designee;

21 (3) the Mayor of the City of Hagerstown, or the Mayor's designee;

22 (e) The Chairman of the Commission will be appointed by the Chairman of the
23 Washington County Delegation from among the 21 voting members serving on the
24 Commission.

25 (f) (1) The Commission shall consist of the following four work groups:

26 (i) the facilities and organization work group;

27 (ii) the debt, finance, and accounting structure work group;

28 (iii) the legal issues and labor relations work group; and

29 (iv) the planning and environmental work group.

30 (2) (i) The Chairman of the Commission shall determine the
31 membership of each work group.

32 (ii) A work group leader shall be elected by the voting members
33 appointed to that work group.

1 (g) The Washington County Board of County Commissioners, and the City of
2 Hagerstown, ~~and the Department of the Environment~~ shall provide the staff for the
3 Commission.

4 (h) The responsibilities of the Commission include:

5 (1) assessing the existing capacity and deficiencies of the water and
6 sewer services in Washington County;

7 (2) reviewing the State and federal regulatory requirements with regard
8 to providing water and sewer services;

9 (3) reviewing and analyzing the future growth projections for
10 Washington County, and the impact that growth will have on water and sewer
11 services throughout Washington County;

12 (4) examining the water and sewer services provided by neighboring
13 regions and other counties and municipalities throughout the State;

14 (5) considering various options as to how future water and sewer
15 services can be achieved in an efficient and cost effective manner, while ensuring that
16 the system will continue to service public health needs of the residents of Washington
17 County;

18 (6) considering how to balance the current and future economic
19 development objectives of Washington County with issues arising from water and
20 sewer services in Washington County;

21 (7) considering the readiness with which the municipalities located
22 within Washington County are equipped to handle the water and sewer needs of these
23 areas in conjunction with the future growth of Washington County;

24 (8) considering an efficiency and cost-savings analysis of creating a
25 regional authority that would consolidate the City of Hagerstown and Washington
26 County water and sewer departments; and

27 (9) considering the feasibility of expanding a regional authority beyond
28 consolidating the City of Hagerstown and Washington County water and sewer
29 departments.

30 (i) The Commission shall develop a long term plan that:

31 (1) identifies critical areas of need with regard to water and sewer
32 services in Washington County; and

33 (2) addresses how to meet Washington County's water and sewer needs
34 through 2055, including the options of consolidation or regionalization of services,
35 joint service agreements, or regional authorities.

1 (j) The Commission shall submit an interim report of its findings to the
2 Washington County Delegation, the Washington County Board of County
3 Commissioners, and the Hagerstown City Council on or before January 1, 2005.

4 (k) The Commission shall submit a final report of its findings and
5 recommendations to the Washington County Delegation, the Washington County
6 Board of County Commissioners, and the Hagerstown City Council on or before June
7 30, 2006.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2004. It shall remain effective for a period of 2 years and, at the end of June
10 30, 2006, with no further action required by the General Assembly, this Act shall be
11 abrogated and of no further force and effect.